

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR
SYSTEMS PRODUCTS LIABILITY
LITIGATION

Master File No. 2:12-MD-02327
MDL 2327

ETHICON WAVE 9 CASES LISTED IN
EXHIBIT A TO PLAINTIFFS' NOTICE OF
ADOPTION

JOSEPH R. GOODWIN U.S. DISTRICT
JUDGE

**NOTICE OF ADOPTION OF PRIOR DAUBERT RESPONSE REGARDING TIMOTHY
ULATOWSKI FOR WAVE 9**

In Wave 9, Plaintiffs have adopted their Wave 1 briefing filed against Timothy Ulatowski. [Dkt. 8298] (adopting Dkt. 2060 (motion), Dkt. 2065 (memorandum) and Dkt. 2232 (reply)) for all cases listed in Exhibit A to their Notice.¹

Defendants hereby adopt and incorporate by reference their Supplemental Response and Notice of Adoption filed in relation to Timothy Ulatowski in Ethicon Wave 3, Dkt. 2910, and their Wave 1 Response Brief, Dkt. 2134.

For the reasons stated in Defendants' Wave 3 and Wave 1 briefing [Dkt. 2910, 2134], Plaintiffs' motion should be denied in its entirety.

Respectfully submitted,

s/ William M. Gage

¹ The following cases listed on Plaintiffs' Exhibit A have been dismissed without prejudice: Dawn Bridges (No. 2:15-cv-13609); Amanda Marie Harshbarger (No. 2:13-cv-15950); Meredith Lloyd-Duncan (2:12-cv-09153); Jayne & Richard Pawlisa (No. 2:15-cv-03832); Lela J. Quillen (No. 2:14-cv-14403); Lori Ransom (No. 2:13-cv-18285); Melanie Watson (No. 2:13-cv-24197); Kay & Robert Zariski (No. 2:14-cv-26753). Plaintiffs' Notice is therefore moot as to these cases. Should these cases be revived, Ethicon hereby adopts its prior *Daubert* briefing for those cases as stated herein.

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CERTIFICATE OF SERVICE

I certify that on this date I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

s/ William M. Gage